federal register

TUESDAY, JANUARY 6, 1976

PART II:

FEDERAL ELECTION COMMISSION

■

ADVISORY OPINION REQUEST

Treatment of Certain Activities by Candidates for Delegate to National Nominating Conventions

FEDERAL ELECTION COMMISSION

[Notice 1975-100, AOR 1975-131]

ADVISORY OPINION REQUEST

Treatment of Certain Activities by Candidates for Delegate to National Nominating Conventions

In accordance with the procedures set forth in the Commission's Notice 1975-4, published on June 24, 1975 (40 FR 26660), Advisory Opinion Request 1975-131 is published today.

Interested persons wishing to comment on the subject matter of any Advisory Opinion Request may submit written views with respect to such requests on or before January 21, 1975. Such submission should be sent to the Federal Election Commission, Office of General Counsel, Advisory Opinion Section, 1325 K Street, NW., Washington, D.C., 20463. Persons requiring additional time in which to respond to any Advisory Opinion Request will normally be granted such time upon written request to the Commission. All timely comments received by the Commission will be considered by the Commission before it issues an advisory opinion. The Commission recommends that comments on pending Advisory Opinion Requests refer to specific AOR number of the Request commented upon, and that statutory references be to the United States Code citations, rather than to the Pub. L. Citations.

AOR 1975-131: Treatment of Certain Activities by Candidates for Delegate to National Nominating Conventions (Request Edited by the Commission).

GENTLEMEN: Advisory Opinion 1975-12 [40 FR 55596 (November 28, 1975)], while responsive to the request which generated it, fails to answer a number of questions with regard to certain peculiar situations which pertain to candidates for delegate to a national nominating convention. I therefore request a supplementary advisory opinion in which:

A. The situation where a candidate for Federal office (e.g. a Congressman seeking reelection) is at the same time a delegate/candidate is specifically addressed.

B. Reference is made as to whether or not his/her status as an "authorized", "pledged-but-unauthorized", or "unpledged and uncommitted" delegate/candidate has any effect peculiar to his/her additional circumstance of being a double candidate.

C. Guidelines are offered for the allocation of expenses of his/her separate candidacies one from the other, recognizing that most or all expenses may in fact work to the benefit of both of his/her candidacies, even though designed solely for one or the other.

D. Identifies, in the guidelines, how such a candidate can, if he/she is in the "pledged but unauthorized" class, and thereby limited to $1,000 total expenses for his/her delegate campaign, assure that his/her right to spend (in the case of a Congressional candidate) a total of $70,000 in that primary, and the necessity of allocating according to some formula, do not result in his/her inevitable violation, de facto, of the $1,000 limit.

* * * * *

ROBERT H. MICHEL.

Source: Honorable Robert H. Michel, House of Representatives, 2112 Rayburn House Office Building, Washington, D.C. 20515 (December 3, 1975).

Dated: December 23, 1975.

THOMAS B. CURTIS,
Chairman for the Federal Election Commission.

[FR Doc.76-3 Filed 1-5-76;8:45 am]